

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PATRICIA CHENEY,

Plaintiff,

V.

EMMAUS, INC.,

Defendant.

CIVIL ACTION NO. 04-11627 RGS

PROPOSED ORDER

Upon consideration of Defendant's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), it is hereby ORDERED that Count I of Plaintiff Patricia Cheney's Complaint, the claim for discrimination in violation of the Americans With Disabilities Act of 1990, is dismissed.

Dated:

Honorable Richard G. Stearns
United States District Court
District of Massachusetts